

To: Brushia, Robert@DTSC[Robert.Brushia@dtsc.ca.gov]
Cc: Brown, Judith[Brown.Judith@epa.gov]; Brinkerhoff, Chris[Brinkerhoff.Chris@epa.gov]; Parsons, Doug[Parsons.Douglas@epa.gov]
From: Kramek, Niva
Sent: Thur 9/22/2016 4:26:07 PM
Subject: RE: Information on current EPA existing chemical / consumer actions

Hi Robert –

Thanks for the email! I'm glad it was helpful! As I mentioned, we look forward to working even more closely with DTSC and others in California as we start evaluating and taking actions under the new amendments to TSCA.

Those are good questions – I am copying our economist, Judith, and risk assessor, Chris. They can provide a little more information, though there will be a lot more detail once the rule is proposed (late 2016).

The SBAR materials are unfortunately just a snapshot of our analysis at that time; there have been a few updates so the calculations of the number of users of NMP have been revised. However, Judith is always interested in additional information, so if you have any data sources you think we should be aware of, please let us know!

We have estimated that consumers may be using paint removers with NMP for projects that take longer than 4 hours; Chris has more information on that, but even more will be docketed in our supplemental analysis with the rule. If you'd like, we can try to arrange a call with our NMP/Methylene chloride team here and any people in DTSC who would be interested in hearing more about the analysis. We talked more extensively about methylene chloride in the past, and it would be great to discuss NMP in more detail now that you are considering an action.

Thanks!

Niva

Niva Kramek

Existing Chemicals Branch, Chemical Control Division

Office of Chemical Safety and Pollution Prevention

US Environmental Protection Agency

202-564-2897

Kramek.niva@epa.gov

From: Brushia, Robert@DTSC [mailto:Robert.Brushia@dtsc.ca.gov]

Sent: Thursday, September 22, 2016 11:37 AM

To: Kramek, Niva <kramek.niva@epa.gov>

Subject: RE: Information on current EPA existing chemical / consumer actions

Hi Niva,

I looked over the materials, and it was very informative. Thank you again. I did have one question. How did you guys estimate the number of users? You have estimated 1.4 million consumer users? Also, do you have any information regarding mode of use; especially relating to how long the average consumer uses the product? Is it over the four hour risk limit?

Thanks again,

Rob

From: Kramek, Niva [mailto:kramek.niva@epa.gov]

Sent: Monday, September 19, 2016 9:00 AM

To: Brushia, Robert@DTSC

Cc: Corado, Ana

Subject: Information on current EPA existing chemical / consumer actions

Hi Robert –

It was great talking to you, and always nice to have a contact at CA DTSC! To follow up on the things we talked about:

1) Paint Removers rulemaking:

<http://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201604&RIN=2070-AK07>

Please note: Our proposal date has shifted; the next update of the regulatory agenda should show that it is Dec 2016 / Jan 2017.

1a) Attached is a presentation we did for small businesses on this proposed rule. We did not highlight the impacts to consumers, or the potential regulations that would apply to manufacturers and processors of consumer products (since the focus was small business users and processors) but this provides an overview of the Agency's analysis at the time the presentation was given.

1b) It sounds like your lawyers and ours are on the same page regarding the lack of potential for pre-emption of any state action on NMP, methylene chloride, or TCE due to the special status of the risk assessments completed before June 2016. We are very interested in clear communication regarding pre-emption of any state actions in the future, and are going to start putting together processes for that soon. Please let me know if you or others in CA (OEHHA?) are interested in a discussion about this.

1c) Also, you are probably aware of this, but the Halogenated Solvents Industry Alliance has petitioned CPSC to change labeling on consumer products containing methylene chloride. I'm am not sure if California or DTSC has a policy regarding comments on petitions at the federal level, but I thought you might be interested. The comment period closes Oct 31.

The petition is here:

2) NEP SNUR:

<http://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201604&RIN=2070-AK09>

3) Something we didn't discuss at length, but will be important soon: Once EPA has determined that a chemical is high priority for risk assessment (a legal/policy determination), we will be moving quickly to risk assessment and then, if warranted, risk management. We will be putting a lot of thought into which chemicals will be classified as 'high' and are interested in input from all stakeholders, including California. Ana (cc'd) is helping coordinate the pre-prioritization process, and OPPT as a whole will be doing more outreach than in the past. We are ideally seeking information on specific uses of certain chemicals (with as much detail as possible), exposure patterns, suggestions for which chemicals should be prioritized, likely alternatives, and more. We're hoping that with input from California, other states, industry experts, and others we can develop a full picture of each candidate chemical to inform the prioritization process (and any subsequent risk evaluation). Please let me and Ana know if you (and anyone else!) at DTSC or other agencies would like to be involved.

Thanks!

Niva

Niva Kramek

Existing Chemicals Branch, Chemical Control Division

Office of Chemical Safety and Pollution Prevention

US Environmental Protection Agency

202-564-2897

Kramek.niva@epa.gov